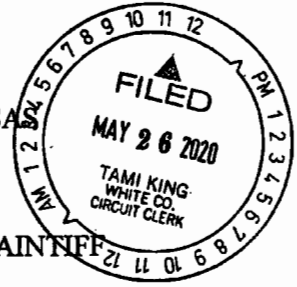


IN THE CIRCUIT COURT OF WHITE COUNTY, ARKANSAS
 1 DIVISION



SAMUEL ANDERTON

PLAINTIFF

V.

NO. 73CV-20-329

LÖWE'S HOME CENTERS, LLC

DEFENDANT

COMPLAINT

Comes now Plaintiff, Samuel Anderton, by and through his attorney, Marcus Vaden,
and for his cause of action against the Defendant, Lowe's Home Centers, LLC. states
as follows:

PARTIES AND JURISDICTION

1. Plaintiff is a citizen and resident of White County, Arkansas.
2. Defendant is a foreign limited liability company registered to do business in the State of Arkansas.
3. This is an action is an action for personal injury occurring at Defendant's place of business located at 3701 E Race Avenue, Searcy, White County, Arkansas on November 12, 2018.
4. Jurisdiction and venue are proper in this Court.

FACTS

- 5. On November 12, 2018, Plaintiff was an invitee at Defendant's business.**

6. As Plaintiff shopped in Defendant's store, he stepped backwards into a cabinet sitting on a pallet in the aisle of Defendant's store left by Defendant's employees. The pallet jutted out from underneath the cabinet at least 3 to 4 inches forming a ledge. The pallet and the cabinet were completely covered in loosely wrapped cellophane which entangled Plaintiff's foot as he stepped backward. The merchandise negligently placed in the walkway of the store posed a hazard to Plaintiff and others as they shopped in Defendant's store.

COUNT 1 – PREMISES LIABILITY

7. The Plaintiff's fall caused him injuries which he suffered as the proximate result of the negligence of Defendant and its employees who created a dangerous, hazardous and unsafe condition. Defendant failed to maintain the common area of the business in a safe condition and failed to warn the Plaintiff of the dangerous, hazardous and unsafe condition which caused his fall.

8. Defendant also failed to inspect the premises; failed to provide Plaintiff with notice of the dangerous, hazardous and unsafe condition and negligently maintained ownership, control, operation, management and supervision of the walkways of the business.

9. As a result of the aforesaid negligence, Defendant is liable to Plaintiff for his injuries which were proximately caused by the aforesaid negligence.

10. As a result of Defendant's negligence, Plaintiff suffered serious injuries and has incurred medical bills and endured pain and suffering and, in the future, may experience additional pain and suffering.

11. Any negligence of Defendant's employees is imputed to Defendant under the theory of Respondeat Superior.

DAMAGES

12. The injuries and damages sustained by Plaintiff as a result of Defendant's breach of the above duties include, but are not limited to, the following:

- a. Medical expenses incurred in the past and transportation expenses to obtain medical treatment;
- b. Physical pain and suffering to in the past;
- c. Physical pain and suffering to be expected in the future;
- d. Future medical expenses;
- e. Past and future loss of income; and
- f. Permanent impairment.

13. Defendant's negligence was the proximate cause of Plaintiff's injuries and damages.

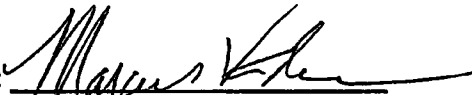
DEMAND FOR JURY TRIAL

14. Plaintiff demands a trial by jury.

15. Plaintiff reserves the right to plead further to state additional claims and name additional parties to this action.

Respectfully submitted,

SAMUEL ANDERTON, PLAINTIFF

BY: 

Marcus Vaden (89126)
The Marcus Vaden Law Firm
P. O. Box 203
Conway, AR 72033
Phone: (501) 329-8723
Facsimile: (501) 205-1278